

REMARKS

Claims 1-10, 13, 14, 17, 19-21 and 24-28 have been previously canceled. Claim 31 is currently amended and no new claims have been added or canceled by way of this response. Thus, claims 11-12, 15-16, 18, 22-23 and 29-34 are currently pending and presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Amendments to the Claims:

Applicants have amended claim 31 to further refine the scope of Applicants' invention. Support for the amendments can be found in paragraphs [0027] and [0034] of the specification and Figure 3.

Response to Rejections Under Section 102:

Claim 31 stands rejected under 35 U.S.C § 102(e), the Examiner contending that this claim is anticipated by Kot (USPN 7,131,379).

Applicants' amended claim 31 recites in part:

... a drive unit assigned to the print unit, wherein the drive unit comprises a motor, a power converter and **an integrated control unit for regulating the drive unit, and the control unit comprises an integrated evaluation unit** ...

In contrast, Kot teaches a printing register control system having a register measuring device 13, control unit 12, and register adjusting devices 10 and 11, all of which are separate and discrete from one another (col. 3 line 62 to col. 4 line 14; and Fig. 1). Applicants respectfully submit that Kot does not teach a drive unit comprising "**an integrated control unit for regulating the drive unit, and the control unit comprises an integrated evaluation unit**," as recited in claim 31.

MPEP § 2131 requires, "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM."

In light of the above, Applicants respectfully submit that Kot does not anticipate claim 31 and respectfully request the Examiner withdraw the Section 102 rejection.

Response to Rejections Under Section 103:

Claims 11-12 and 29 stand rejected under 35 U.S.C § 103(a) as being obvious over Kot in view of Darby et al. (USPN 7,032,988), hereinafter Darby. Claims 15-16, 18, 22-23 and 30 stand rejected under 35 U.S.C § 103(a) as being obvious is obvious over Kot in view of Darby and further in view of Tokiwa. Claims 32-34 stand rejected under 35 U.S.C § 103(a) as being obvious over Kot in view of Tokiwa (USPN 6626102).

Claims 11 and 29:

In the instant Office Action, the Examiner concedes that Kot does not teach a measurement device comprising an evaluation unit or a method of operating a printing press including providing a measurement device comprising an evaluation unit as required by claims 11 and 29. However, the Examiner further contends that Darby discloses a measuring device comprising an evaluation unit, item 122 inside item 22 as seen in Figure 10 such that the combination of Kot in view of Darby obviates claims 11 and 29. Applicants respectfully disagree with the Examiners contention and submit that Darby does not teach a measurement device comprising an evaluation unit as required by claims 11 and 29. Applicants point out that item 122 of Darby is not an evaluation unit in any sense but rather a “result reporting module” that “routs, aggregates, and/or stores sensing and/or calibration signals and/or results” (col. 13, lines 35-37). The result reporting module 122 only routs and stores data. There is no evaluation functionality associated with the result reporting module 122 and therefore it is not an evaluation unit, therefore Darby does not provide the missing elements of Kot necessary to teach or suggest the limitations of claims 11 or 29. In light of the above, Applicants respectfully submit that the Examiner has failed to establish a prima facie case of obviousness regarding claims 11 and 29.

Claims 32-34:

For at least the reasons discussed in connection with the Section 102 rejection of claim 31, Applicants respectfully submit that claims 32-34 are patentable at least based on their dependence from claim 31 as well as based on their own merits.

Applicants respectfully submit that claims 12, 15-16, 18, 22-23, 30 and 32-34 are patentable at least based on their dependence from claims 11 29 or 31 as well as based on their own merits. Therefore, Applicants respectfully request that the Examiner withdraw the Section 103 rejections.

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Atty. Doc. No. 2002P15569WOUS

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. All correspondence should continue to be directed to our below-listed address. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: April 14, 2009

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